

05-19-06

Attorney Docket No.: LDR/10/US
AK Matter No.: 159656

rfw



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Title: Intervertebral Disk Prosthesis

Application No.: 10/533,846

Filing Date: 11/11/05

Inventor: Jacques Beaurain, et al.

Assignee: LDR Medical

Examiner: Alvin J. Stewart

Art Unit: 3738

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Angela Trampel

INFORMATION DISCLOSURE STATEMENT

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PO Box 1450
Alexandria, VA 22313-1450

Pursuant to the guidelines for Information Disclosure Statements, 37 C.F.R. §§ 1.97-1.98, attached hereto are Forms PTO/SB/08A and PTO/SB/08B (19 sheets) with references listed for consideration by the Office.

Pursuant to Official Gazette Notice No. 14, dated August 5, 2003, copies of the listed written U.S. references are not enclosed. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of the listed written foreign references and publications are being provided.

In accordance with 37 C.F.R. §§ 1.97(g)-(h), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made or an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b) or prior art under 35 U.S.C. §§ 102 or 103.

The examiner should also be aware of the following co-pending applications:

App. Ser. No. 10/276,712 filed 03/26/2003;
App. Ser. No. 10/473,999 filed 04/12/2004;
App. Ser. No. 10/483,563 filed 05/21/2004;
App. Ser. No. 10/476,565 filed 06/08/2004;
App. Ser. No. 10/492,827 filed 07/15/2004;
App. Ser. No. 10/492,753 filed 08/09/2004;
App. Ser. No. 10/498,234 filed 12/07/2004;
App. Ser. No. 11/051,710 filed 02/04/2005;
App. Ser. No. 11/098,266 filed 04/04/2005;
App. Ser. No. 11/109,276 filed 04/18/2005;
App. Ser. No. 11/180,868 filed 07/13/2005;
App. Ser. No. 10/533,846 filed 11/11/2005;
App. Ser. No. 11/341,007 filed 01/27/2006;
App. Ser. No. 11/362,253 filed 02/24/2006;
App. Ser. No. 10/570,080 filed 02/28/2006;
App. Ser. No. 11/378,165 filed 03/17/2006;
App. Ser. No. 11/390,711 filed 03/27/2006;
App. Ser. No. 10/575,065 filed 04/07/2006; and
App. Ser. No. 10/494,418 filed 07/22/2004.

Commonly owned App. Ser. No. 10/060,862 filed 01/30/2002 issued as U.S. Pat. No. 7,037,340 on 05/02/2006.

The Examiner's attention is directed to the following documents being submitted, and to the references cited therein (which are also submitted herewith):

1. FR 2 846 550 Preliminary Search Report, National Institute of Industrial Property (France), July 10, 2003

2. PCT/IB03/04872 International Search Report, EPO, March 3, 2004
3. PCT/IB03/04872 International Preliminary Examination Report, EPO, March 01, 2005
4. FR 2 824 261 Preliminary Search Report, National Institute of Industrial Property (France), February 25, 2002
5. PCT/IB02/02998 International Search Report, EPO, September 16, 2003
6. PCT/IB02/02998 International Preliminary Examination Report, EPO, December 22, 2003
7. FR 2 865 629 Preliminary Search Report, National Institute of Industrial Property (France), September 14, 2004
8. PCT/IB05/00280 International Search Report, EPO, June 24, 2005
9. FR 2 869 528 Preliminary Search Report, National Institute of Industrial Property (France), December 13, 2004
10. PCT/IB05/01151 International Search Report, EPO, September 12, 2005
11. FR 2 831 796 Preliminary Search Report, National Institute of Industrial Property (France), August 2, 2002
12. PCT/IB02/04642 International Search Report, EPO, July 02, 2003
13. PCT/IB02/04642 International Preliminary Examination Report, EPO, April 1, 2004
14. FR 2 865 630 Preliminary Search Report, National Institute of Industrial Property (France), January 12, 2005

The foregoing items 1-3 are search and examination reports relating to this application, and the foregoing items 4-13 are search and examination reports relating to copending applications 10/476,565, 11/051,710, 11/098,266, and 10/494,418. Foregoing item 14 is a search report relating to commonly owned French App. No. FR0405899, filed 06/02/2004.


This Information Disclosure Statement is being filed before receipt of the first Office Action on the merits, so no fee is believed to be due. The Commissioner is hereby authorized to charge any other fees which may be required in connection with the filing, or to credit any

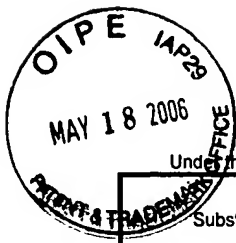
overpayment to Deposit Account No. 50-3534, upon which account the undersigned has the authority to sign. **Duplicate copies of Forms PTO/SB/08A and PTO/SB/08B are enclosed.**

Respectfully submitted,

ANDREWS KURTH LLP

May 18, 2006
Date

By: 
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Sheet 1 of 9

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| First Named Inventor | Jacques Beaurain, et al. |
| Art Unit | 3738 |
| Examiner Name | Alvin J. Stewart |
| Attorney Docket Number | LDR/10/US / AK 159656 |

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Sheet 2 of 9

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| Filing Date | 11/11/05 |
| First Named Inventor | Jacques Beaurain, et al. |
| Art Unit | 3738 |
| Examiner Name | Alvin J. Stewart |
| Attorney Docket Number | LDR/10/US / AK 159656 |

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| Filing Date | 11/11/05 |
| First Named Inventor | Jacques Beaurain, et al. |
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| Attorney Docket Number | LDR/10/US / AK 159656 |

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| | | | | First Named Inventor | Jacques Beaurain, et al. |
| | | | | Art Unit | 3738 |
| | | | | Examiner Name | Alvin J. Stewart |
| Sheet | 8 | of | 9 | Attorney Docket Number | LDR/10/US / AK 159656 |

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| Sheet | 2 | of | 7 | Attorney Docket Number | LDR/10/US / AK 159656 |

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| | | | | Art Unit | 3738 |
| | | | | Examiner Name | Alvin J. Stewart |
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| Sheet | 3 | of | 7 | | |

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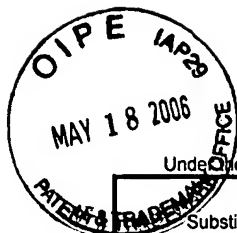
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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | | Application Number | 10/533,846 |
| | | | | Filing Date | 11/11/05 |
| | | | | First Named Inventor | Jacques Beaurain, et al. |
| | | | | Art Unit | 3738 |
| | | | | Examiner Name | Alvin J. Stewart |
| Sheet | 3 | of | 3 | Attorney Docket Number | LDR/10/US / AK 159656 |

| NON-PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | | PCT/IB02/04642 International Search Report, EPO, July 02, 2003 | |
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